EFRC DISPOSITION WORKSHEET

Re: IV 2505884 / 2483294
Subject: Edgar Cuevas #[redacted]
Investigator: Sgt. Henry Ortega, Internal Affairs Bureau
Advocate: Sgt. Nikio Caffery, Advocate

DISPOSITION OF CHARGES

The following charges were prepared by the Advocacy Unit. Please indicate your disposition of the potential charges, and put any additional sustained charges (with reference to the investigation) on attached sheet(s).

Potential Charge(s):

The evidence in this investigation supports the following charges:

1. That in violation of Manual of Policy and Procedures Section 3-01/030.10 Obedience to Laws, Regulations and Orders, as it pertains to 3-10/050.15 Performance to Standards - Performance Associated with the Use of Force; and/or 3-10/150.00, Tactical Incidents; and/or 5-09/220.50, Foot Pursuits, on or about May 12, 2019, while on-duty and assigned to Compton Station, Subject Cuevas, failed to perform to the standards established for his rank of Deputy Sheriff, and/or failed to perform his duties in a manner which established and maintained the highest standard of efficiency in carrying out the functions and objectives of the Department, when he took independent action and/or used strategies and/or tactics which failed to comply with Department policies, and/or procedures, and/or training, as evidenced by, but not limited to:

    a. failing to broadcast radio traffic of required information via a dispatch frequency with the Sheriff's Communication Center upon initiation of the pursuit; and/or,

    b. failing to communicate, via radio, to his partners he was about to approach and/or he was about to detain Suspect Blas; and/or,

    c. failing to coordinate with additional units in establishing and/or maintaining a containment for Suspect Blas; and/or;

    d. failing to formulate with additional units a tactical plan prior to approaching and/or contacting Suspect Blas; and/or,

    e. approaching, and/or closing the distance between himself and Suspect Blas, without an exigency and/or emergency and/or additional units.

Evidence Reference:

____

Defenses/Conflicting Evidence:

____

Disposition:

__X__ **Charge founded as delineated**
_____ **Charge founded as modified**
_____ **Charge unresolved**
_____ **Charge unfounded**

Discipline Assessment

Review of Applicable Guidelines for discipline Section:

The Department's "*Guidelines for Discipline*" (September 28, 2012) lists the following Analogous misconduct with associated disciplinary penalties:

Conduct	Standard Discipline
Obedience to Laws, Regulations and Orders	
• Performance to Standards - Performance Associated with the Use of Force	W/R to Discharge
• Tactical Incidents	
• Foot Pursuits	

Determination of Discipline:

Based upon the attached assessment of mitigating and aggravating factors, the following discipline has been determined to be appropriate. This discipline is subject to revision upon receipt of the subject's response of grievance.

_____ **Discharge**
_____ **Reduction in Rank**
__X__ **Suspension with loss of pay and benefits for 3 days**
_____ **Written Reprimand**
_____ **No discipline**

Assessment of Mitigating and Aggravating Factors:

The following describe the mitigating and aggravating factors in the determining the discipline in this investigation. Those factors include:

Intent	Truthfulness
Past Performance	Severity of Infraction
Degree of Culpability	Acceptance of Responsibility
Disciplinary History	Other Factors

Management has considered the subject's performance, which is documented in the Subject's Department personnel file, and those documents not contained in that file which are attached to the disposition worksheet.

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 02/13/2020	Bureau/Station/Facility: Central Patrol Division / Compton Station	Admin. Invest.? ☐ Hit? ☐

Incident Information

URN: 019-07068-2825-055	Date: 05/12/2019 Time: 1817 hours
City or Station: Compton	Nature of Incident: A foot pursuit ensued when deputies attempted to contact a potentially armed suspect. The suspect fled to the location and pointed a firearm a deputy. Deputy Cuevas fired 3 non-hit rounds.
Location: [redacted] E. Tucker Street, Compton 90221	

Location Type (check one or more):
- ☑ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☐ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other: ____

Lighting (check only one):
- ☐ Darkness
- ☑ Daylight
- ☐ Other
- ☐ Street Lights

Weather (circle only one):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance: 10 feet

Incident Type (check one or more):
- ☐ Accidental
- ☑ Armed Person
- ☑ Fleeing Suspect
- ☑ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other: ____

Initiated by (check only one):
- ☐ Arrest Warrant
- ☐ Call
- ☑ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☑ Two Person Unit

Prior Activity (check only one):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
3	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	Calderon	Joge	A.	☐ EM ☑ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Hernandez	Christopher	B.	☐ EM ☑ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Anaya	Guillermo	A.	☐ EM ☑ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]		[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
[redacted]	Butler	Natasha	K.	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
[redacted]	Johnson	Eric		☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Kluth	David	A.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Veloz	Oscar	E.

PSTD Use Only

SH # ____

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Walker (#[redacted]	Latosha	S.	301 S. Willowbrook Avenue, Compton	90220	(310) 605-6500	
Hubbard (#[redacted]	James	F	301 S. Willowbrook Avenue, Compton	90220	(310) 605-6500	
Butler (#[redacted]	Natasha		301 S. Willowbrook Avenue, Compton	90220	(310) 605-6500	
Johnson (#[redacted]	Eric		301 S. Willowbrook Avenue, Compton	90220	(310) 605-6500	
Juarez (#[redacted]	Jaime		301 S. Willowbrook Avenue, Compton	90220	(310) 605-6500	

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name [redacted] First Name [redacted] M.I.
Street Address [redacted] Zip Code [redacted] Work Ph Home Ph [redacted]

Last Name [redacted] First Name [redacted] M.I.
Street Address [redacted] Zip Code [redacted] Work Ph Home Ph [redacted]

Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

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Street Address Zip Code Work Ph Home Ph

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Last Name First Name M.I.
Street Address Zip Code Work Ph Home Ph

Officer Involved Shooting

URN: 019-07068-2825-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
05/12/2019	2100 Hours	02/10/2020	

Employee #	Last Name	First Name	M.I.
[redacted]	Ortega	Henry	M
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	Grall	David	M.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	UC					NN	
S1	E1	FH	SW	38			NN	
E1	S1	FH	SS	9	Y	Y	NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 019-07068-2825-055

Involved Employee

E 1

Employee # [redacted] | Last Name: Cuevas | First Name: Edgar | M.I.: S.

Sex: M | Race: H | Rank: B-1 | Unit Assignment: Compton Station | Work Assignment (Unit #, Module, etc.): Unit 282D

ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day | ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☑

Hrs of sleep prior to shooting: 8 | Duty [redacted]

Age: [redacted] | Height: 510 | Weight: 210

Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest

Other Factors: E1 was on his first shift after three consecutive regular days off.

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted] | Directed Force: [redacted]

Weapons Fired Brand: Sig Sauer | Caliber: 9mm | # Shots: 3 | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # [redacted] Last Name [redacted] | First Name [redacted] | M.I.

Field Training Officer Emp # [redacted] Last Name [redacted] | First Name [redacted] | M.I.

E

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs):

Age: | Height: | Weight:

Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest

Other Factors:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

E

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs):

Age: | Height: | Weight:

Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest

Other Factors:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

Officer Involved Shooting
Suspect Information

URN: 019-07068-2825-055

Suspect Information

S 1

Last Name: Morales Blas		First Name: Mario	M.I. A.
AKA Last Name: Morales		First Name: Mario	M.I. A.
Sex: M Race: H	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: N/A	Home Phone: N/A	Social Security #:	Driver's License #: [redacted]
Age: 28 D.O.B. 07/30/1990	Height: 506 Weight: 220	FBI # [redacted]	CII # [redacted]
Booking # 5627060	Primary Charge: Assault on a peace officer, 245(d)(1) PC	Secondary Charge: Felon in possession of a firearm 29800(a)(1) PC	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☑	Apprehended? ☑	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: N/A		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year: